

THE PROPOSED REPEAL OF THIS RULE RECEIVED FINAL APPROVAL BY THE UTAH STATE BOARD OF EDUCATION ON MAY 3, 2007. THE RULE HAS BEEN FILED WITH THE DIVISION OF ADMINISTRATIVE RULES AND IS SCHEDULED TO BE PUBLISHED IN THE JUNE 1, 2007 UTAH STATE BULLETIN, SUBJECT TO A 30-DAY COMMENT PERIOD, WITH A FIRST POSSIBLE EFFECTIVE DATE OF JULY 9, 2007.

**R277. Education, Administration.**

**~~[R277-416. Experimental and Developmental Programs.~~**

**~~R277-416-1. Definitions.~~**

- ~~A. "Board" means the Utah State Board of Education.~~
- ~~B. "USOE" means the Utah State Office of Education.~~
- ~~C. "Developmental" means to bring an idea, concept, thought, principle, strategy, system, or structure into activity or reality.~~
- ~~D. "Experimental" means to research, test, or both, an idea, concept, thought, principle, strategy, system, or structure to determine its effectiveness, workability, or validity within an educational setting.~~
- ~~E. "Evaluation" means a review conducted by a person or group which assesses procedures, results and products.~~
- ~~F. "Superintendent" means the State Superintendent of Public Instruction.~~
- ~~G. "Statewide projects" means programs or activities that satisfy the definitions of developmental and experimental, above, and have potential to benefit education, as determined by the Superintendent.~~

**~~R277-416-2. Authority and Purpose.~~**

- ~~A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and authority over public education in the State Board of Education, by Section 53A-1-401(4) which directs the Board to adopt rules mandating school productivity and cost efficient measures, Section 53A-17a-132 which directs the Board to distribute state funds for the Experimental/Developmental Program and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.~~
- ~~B. The purpose of this rule is to establish standards and procedures required for Experimental and Developmental funding.~~

**~~R277-416-3. Types of Funds; Distribution.~~**

- ~~State Experimental and Developmental funds are provided to districts in two categories--formula grants and grants for statewide projects.~~
- ~~A. Formula grants--seventy-five percent of the legislative appropriation of Experimental/Developmental funds shall be distributed among school districts under 53A-17a-132(1) (a) and (b).~~
- ~~B. Statewide projects--twenty-five percent of the legislative appropriation of Experimental/Developmental funds shall be distributed among school districts for statewide projects.~~

**~~R277-416-4. Limitations on Funds.~~**

- ~~A. Funds shall be used exclusively for purposes set forth in~~

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~~53A-17a-132.~~

~~B. Statewide project funds shall be expended according to approved budget line items.~~

~~C. Transfer of funds between line items or the extension of completion dates for statewide projects may be made only with prior written approval of the USOE Finance Committee.~~

~~D. A new experimental or developmental program may only be funded under 53A-17a-132 for a maximum of three consecutive years.~~

~~E. Funds received may not be used to supplant either local district funds or funds available from other state and local sources.~~

**~~R277-416-5. Evaluation and Reports.~~**

~~A. A district that accepts Experimental/Developmental funds shall provide the USOE with a year-end evaluation report.~~

~~B. The year-end report shall include:~~

~~(1) an expenditure report;~~

~~(2) a narrative description of all activities funded; and~~

~~(3) copies of any and all products developed.~~

~~C. The USOE may require additional evaluation or audit procedures from the grant recipient to demonstrate use of funds consistent with the law and Board rules.~~

**~~R277-416-6. Waiver.~~**

~~The Superintendent may grant a written request for a waiver of a requirement or deadline which a district finds unduly limiting. The waiver shall be consistent with the Utah Public Education Strategic Plan, January 1992, pages 17 and 21, or with the express purpose of this rule.~~

**~~KEY: educational research, educational planning, educational reform~~**

**~~Date of Enactment or Last Substantive Amendment: 1993~~**

**~~Notice of Continuation: April 15, 2002~~**

**~~Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-17a-132; 53A-1-401(3); 53A-1-401(4)]~~**